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ENVIRONMENTAL AND PUBLIC PROTECTION CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

TERESA J. HILL SECRETARY

DIVISION OF WATER
14 REILLY ROAD
FRANKFORT, KENTUCKY 40601-1190
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FACT SHEET

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE COMMONWEALTH

KPDES No.: KYG840000 Permit Writer: Larry Sowder Date: August 16, 2007

AI No.: 35050

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant

Those non-coal (mineral) mining operations, which have obtained or are in the process of obtaining a Surface Disturbance Mining Permit from the Department for Natural Resources (DNR), pursuant to Chapter 350 of the Kentucky Revised Statutes (KRS) and Chapter 5 of Title 405 of the Kentucky Administrative Regulations (KARs). Those Devonian (oil) shale mining operations which are regulated under Chapter 30 of Title 405 are not eligible for coverage.

b. Facility Location

Those non-coal (mineral) mining operations located within the 120 counties of the Commonwealth of Kentucky.

c. Description of Applicant's Operation

Covered activities include all forms of non-coal (mineral) mining and processing with the following exceptions:

- 1) Those non-coal (mineral) mining operations which have not been permitted under KRS Chapter 350 and KAR Title 405 Chapter 5.
- 2) New or expanded operations proposing to discharge directly into a water body that has been classified as a Cold Water Aquatic Habitat (CAH) or as an Outstanding State Resource Water (OSRW) as listed in 401 KAR 5:026, Section 5.
- 3) New or expanded operations proposing to discharge directly into or to a direct first or second order tributary of a publicly-owned lake or reservoir as listed in 401 KAR 5:026, Section 5.



c. Description of Applicant's Operation - continued

Covered activities include all forms of non-coal (mineral) mining and processing with the following exceptions:

- 4) New or expanded operations proposing to discharge directly into a water body that has been categorized as an Outstanding National Resource Water (ONRW) or as an Exceptional Water (EW) as listed in 401 KAR 5:030.
- 5) New or expanded operations proposing to mine through an intermittent or perennial stream or within the riparian zone of such a stream.
- 6) New or expanded operations within five (5) miles upstream of an existing drinking water intake.
- 7) Any operation discharging to a water of the Commonwealth that has been listed, in the most recently developed 305 (b) report or 303(d) list, as impaired for one or more of the pollutants commonly associated with non-coal (mineral) mining.
- 8) Any operation proposing to dispose of solid or special wastes within the mining area.
- 9) Any operation, which the Division of Water (DOW) determines that an individual permit would better address the discharges from that operation.
- d. Production Capacity of Facility

Not Applicable

e. Description of Existing Pollution Abatement Facilities

Treatment provided ranges from none to neutralization and sedimentation, depending upon the quality of the discharge.

f. Permitting Action

Reissuance of a general permit for non-coal (mineral) mining and associated activities conducted in the Commonwealth of Kentucky.

2. RECEIVING WATERS

a. Receiving Water Name

Those water bodies of the Commonwealth that comprise the Mississippi and Ohio River basins and sub-basins within the political and geographic boundaries of Kentucky.

b. Stream Segment Use Classifications

Warm Water Aquatic Habitat, Primary and Secondary Contact Recreation, and Domestic Water Supply

c. Stream Segment Antidegradation Categorization

Included are those water bodies which have been categorized as High Quality Waters, pursuant to 401 KAR 5:030, Section 3.

Included are those water bodies which have been categorized as Impaired Waters, pursuant to 401 KAR 5:030, Section 4, and which have been listed in the most recently developed 305 (b) report or 303(d) list, as impaired for pollutants not commonly associated with non-coal (mineral) mining.

d. Stream Low Flow Condition

The 7-day, 10-year low flow conditions of the receiving streams can range from zero (0) cubic feet per second (cfs) to 111,000 cfs for the Mississippi River.

3. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Controlled mine dewatering of limestone and dolomite operations

| Effluent Characteristics | Reported Di Monthly Average | ischarge Daily Maximum | Proposed 1 Monthly Average | Limits Daily Maximum | Applicable Water Quality Criteria and/or Effluent Guidelines | | |
|--|-----------------------------------|------------------------------|----------------------------------|----------------------------|--|--|--|
| Flow (MGD) | Variable | Variable | Report | Report | 401 KAR 5:065, Section 2(8) | | |
| Total Suspended Solids (mg/l) (Quarry Water Only) | Variable | Variable | 15 | 30 | 401 KAR 5:080, Section 1(2)(c)2 | | |
| Total Suspended Solids (mg/l) (Quarry and Wash Waters) | Variable | Variable | 20 | 40 | 401 KAR 5:080, Section 1(2)(c)2 | | |
| Oil & Grease (mg/l) | Variable | Variable | 10 | 15 | 401 KAR 5:080, Section 1(2)(c)2 | | |
| pH (Standard Units) | Variable | Variable | 6.0 (min) | 9.0 (max) | 401 KAR 5:031, Section 4 | | |

4. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Controlled mine dewatering of limestone and dolomite operations

b. Effluent Characteristics

Flow Total Suspended Solids Oil & Grease pH

c. Pertinent Factors

Stormwater runoff or process waters from permittee or associated corporate entity owned or operated processing plants such as asphalt, bagging, concrete, etc. within the DNR permitted area are included and do not need separate permits.

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Oil & Grease shall be monitored once per month by grab sample.

Total Suspended Solids and pH shall be monitored twice per month by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow

The monitoring requirement for this parameter is consistent with the requirements of 401 KAR 5:065, Section 2(8).

Oil & Grease

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges.

Total Suspended Solids

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "BPJ" determination of the "BPT" and "BAT" requirements for these types of discharges. The Division of Water based its determination on information provide by the Industrial Technology Division of the Environmental Protection Agency (EPA Headquarters) and the document entitled "Water Handling Systems of Crushed Stone Operations", National Crushed Stone Association, May 1984.

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The limits for this parameter are consistent with the requirements of 401 KAR 5:031.

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5. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Controlled mine dewatering of clay, sand, gravel, fluorspar, and/or other vein mineral operations.

| Effluent | Reported Discharge | | Proposed Limits | | Applicable Water Quality | | |
|-------------------------------|--------------------|------------------|--------------------|------------------|--|--|--|
| Characteristics | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Criteria and/or Effluent Guidelines | | |
| Flow (MGD) | Variable | Variable | Report | Report | 401 KAR 5:065, Section 2(8) | | |
| Total Suspended Solids (mg/l) | Variable | Variable | 40 | 80 | 401 KAR 5:080, Section 1(2)(c)2 | | |
| Oil & Grease (mg/l) | Variable | Variable | 10 | 15 | 401 KAR 5:080, Section 1(2)(c)2 | | |
| pH (Standard Units) | Variable | Variable | 6.0 (min) | 9.0 (max) | 401 KAR 5:031, Section 4 | | |

6. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Controlled mine dewatering of clay, sand, gravel, fluorspar, and/or other vein mineral operations.

b. Effluent Characteristics

Flow Total Suspended Solids Oil & Grease pH

c. Pertinent Factors

Stormwater runoff or process waters from permittee or associated corporate entity owned or operated processing plants such as asphalt, bagging, concrete, etc. within the DNR permitted area are included and do not need separate permits.

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Oil & Grease shall be monitored once per month by grab sample.

Total Suspended Solids and pH shall be monitored twice per month by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow

The monitoring requirement for this parameter is consistent with the requirements of 401 KAR 5:065, Section 2(8).

Oil & Grease

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "BPJ" determination of the "BPT" and "BAT" requirements for these types of discharges.

Total Suspended Solids

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "BPJ" determination of the "BPT" and "BAT" requirements for these types of discharges. The Division of Water based its determination on the model permit for construction sand and gravel developed by the EPA Office of Water Enforcement and Permits. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for sand and gravel mining that application of this requirement is appropriate.

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The limits for this parameter are consistent with the requirements of 401 KAR 5:031.

7. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - Precipitation influenced discharges from limestone, dolomite, clay, sand, gravel, fluorspar, and/or other vein minerals.

| Effluent Characteristics | Reported 1 Monthly Average | Discharge Daily Maximum | ly Monthly Daily Criteria and/or E | | Applicable Water Quality Criteria and/or Effluent Guidelines |
|-----------------------------|----------------------------------|-------------------------------|------------------------------------|----------|--|
| Flow (MGD) | Variable | Variable | Report | Report | 401 KAR 5:065, Section 2(8) |
| Precipitation (inches) | Variable | Variable | Report | Report | 401 KAR 5:065, Section 2(8) |
| Settleable Solids (ml/l) | Variable | Variable | Report | 0.5 | 401 KAR 5:080, Section 1(2)(c)2 |
| Oil & Grease (mg/l) | Variable | Variable | 10 | 15 | 401 KAR 5:080, Section 1(2)(c)2 |
| pH (Standard Units) | Variable | Variable | 6.0 (min) | 9.0 (max |) 401 KAR 5:031, Section 4 |

8. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Precipitation influenced discharges from limestone, dolomite, clay, sand, gravel, fluorspar, and/or other vein minerals.

b. Effluent Characteristics

Flow Settleable Solids Precipitation Oil & Grease pH

c. Pertinent Factors

Stormwater runoff or process waters from permittee or associated corporate entity owned or operated processing plants such as asphalt, bagging, concrete, etc. within the DNR permitted area are included and do not need separate permits.

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Oil & Grease shall be monitored once per month by grab sample.

Total Suspended Solids, Precipitation, and pH shall be monitored twice per month by grab sample.

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Flow and Precipitation

The monitoring requirements for these parameters are consistent with the requirements of 401 KAR 5:065, Section 2(8)(a).

Oil & Grease

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "BPJ" determination of the "BPT" and "BAT" requirements for these types of discharges.

Settleable Solids

The limits and requirements for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "BPJ" determination of the "BPT" and "BAT" requirements for these types of discharges. The Division of Water based its determination on 40 CFR Part 434 Coal Mining Effluent Guidelines. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for coal mining that application of this requirement is appropriate.

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The limits for this parameter are consistent with the requirements of 401 KAR 5:031.

9. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge - No discharge or recycling non-coal mineral mining operation.

| Effluent | Reported Di | Reported Discharge | | l Limits | Applicable Water Quality | |
|-----------------|-------------|--------------------|---------|----------|--------------------------|--|
| Characteristics | Monthly | Daily | Monthly | Daily | Criteria and/or Effluent | |
| | Average | Maximum | Average | Maximum | Guidelines | |

For those non-coal mineral mining operations that direct all waters including stormwater runoff, dredge return water, etc., to the pit, the permittee is authorized to operate a "No Discharge System".

10. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

No discharge or recycling non-coal mineral mining operation.

b. Effluent Characteristics

None

c. Pertinent Factors

Stormwater runoff or process waters from permittee or associated corporate entity owned or operated processing plants such as asphalt, bagging, concrete, etc. within the DNR permitted area are included and do not need separate permits.

d. Monitoring Requirements

None

e. Justification of Limits

The Kentucky Administrative Regulations (KARs) cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes (KRSs).

Authorization to operate a "No Discharge System"

This authorization is consistent with the requirements of 401 KAR 5:005, Section 2.

11. ANTIDEGRADATION

The conditions of 401 KAR 5:029, Section 1 have been satisfied by this permit action. The permit does not contain any water quality based effluent limitations. Therefore, a review under 401 KAR 5:030 Section 1 is not applicable.

12. PROPOSED COMPLIANCE SCHEDULE FOR ATTAINING EFFLUENT LIMITATIONS

Permittee shall comply with the effluent limitations by the effective date of the permit.

13. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE

Authorization to Discharge

The permittee is authorized to discharge under the terms of this general permit upon receipt of written notification by the Division of Water.

Best Management Practices (BMP) Plan

Pursuant to 401 KAR 5:065, Section 2(10), a BMP requirement shall be included: to control or abate the discharge of pollutants from ancillary areas containing toxic or hazardous substances or those substances which could result in an environmental emergency; where numeric effluent limitations are infeasible; or to carry out the purposes and intent of KRS 224. The facility has several areas where support activities occur which have a potential of the discharge of such substances through stormwater runoff or spillage. Some of these areas will drain to present wastewater treatment plants, others will not.

13. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE - continued

Commingling of Wastestreams

Where wastestreams from any facility covered by this permit are combined for treatment or discharge with wastestreams from another facility, the concentration of each pollutant in the combined discharge may not exceed the most stringent limitations for that pollutant applicable to any component wastestream of the discharge.

In-stream Treatment or Disposal Facilities

This permit does not authorize the construction or use of in-stream treatment or disposal facilities (sediment ponds, hollow fills, valley fills, etc.). Such authorization is within the jurisdiction of the Corps of Engineers (COE) and is implemented through the Section 404 permitting program of the Clean Water Act. Since the COE is a federal agency, this permitting action requires the issuance of a Section 401 Water Quality Certification by the DOW. This certification must be obtained on a site specific basis as the Division of Water does not recognize the COE Nationwide Permits for areas that impact more than 200 linear feet of stream or one (1) acre of wetlands. The conditions of this certification are to be incorporated into the Best Management Practices (BMP) Plan.

Precipitation Events in Excess of a 10-Year, 24-Hour Event

The precipitation influenced overflow or discharge of process waters from a non-coal mineral mining operation may not be subject to the Settleable solids limitation during storm conditions provided that the facilities are designed, constructed, and maintained to contain and treat the volume of wastewater which would result from a 10-year, 24-hour precipitation event.

- 1. If, as a result of a rainfall or equivalent snowmelt greater than the 10-year, 24-hour rainfall, a discharge or over flow does not meet the limitation, the source will qualify for an exemption from the discharge limitation:
 - a. If the treatment system is designed, constructed and maintained to contain or treat the maximum volume of untreated wastewater (process and mine drainage) which would be generated by the facility during a 24-hour period without an increase in volume from precipitation plus the maximum volume of the wastewater resulting from a 10-year, 24-hour precipitation event.
 - b. If the operator takes reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.
- 2. The operator has the burden of proof that each of the conditions of la and 1b above have been met to qualify for an exemption from the Settleable solids limitation.
- 3. Controlled discharges are not eligible for this exemption.

The following table is a summary of the 10-year, 24-hour events for Kentucky.

13. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE - continued

| 10-YEAR 24-HOUR PRECIPITATION EVENTS | | | | | | | |
|--------------------------------------|--------|-----------|--------|------------|--------|------------|--------|
| COUNTY | INCHES | COUNTY | INCHES | COUNTY | INCHES | COUNTY | INCHES |
| Adair | 4.6 | Edmonson | 4.7 | Knox | 4.5 | Nicholas | 4.2 |
| Allen | 4.8 | Elliott | 4.1 | Larue | 4.6 | Ohio | 4.7 |
| Anderson | 4.4 | Estill | 4.3 | Laurel | 4.5 | Oldham | 4.4 |
| Ballard | 5.1 | Fayette | 4.3 | Lawrence | 4.0 | Owen | 4.3 |
| Barren | 4.7 | Fleming | 4.1 | Lee | 4.3 | Owsley | 4.3 |
| Bath | 4.2 | Floyd | 4.2 | Leslie | 4.4 | Pendleton | 4.2 |
| Bell | 4.5 | Franklin | 4.4 | Letcher | 4.3 | Perry | 4.3 |
| Boone | 4.2 | Fulton | 5.2 | Lewis | 4.0 | Pike | 4.2 |
| Bourbon | 4.3 | Gallatin | 4.3 | Lincoln | 4.5 | Powell | 4.3 |
| Boyd | 4.0 | Garrard | 4.4 | Livingston | 4.9 | Pulaski | 4.5 |
| Boyle | 4.5 | Grant | 4.2 | Logan | 4.8 | Robertson | 4.2 |
| Bracken | 4.2 | Graves | 5.1 | Lyon | 4.9 | Rockcastle | 4.4 |
| Breathitt | 4.3 | Grayson | 4.7 | McCracken | 5.0 | Rowan | 4.1 |
| Breckinridge | 4.6 | Green | 4.6 | McCreary | 4.6 | Russell | 4.6 |
| Bullitt | 4.5 | Greenup | 4.0 | McLean | 4.8 | Scott | 4.3 |
| Butler | 4.8 | Hancock | 4.7 | Madison | 4.3 | Shelby | 4.4 |
| Caldwell | 4.9 | Hardin | 4.6 | Magoffin | 4.2 | Simpson | 4.8 |
| Calloway | 5.0 | Harlan | 4.6 | Marion | 4.5 | Spencer | 4.5 |
| Campbell | 4.2 | Harrison | 4.2 | Marshall | 5.0 | Taylor | 4.6 |
| Carlisle | 5.1 | Hart | 4.6 | Martin | 4.1 | Todd | 4.9 |
| Carroll | 4.3 | Henderson | 4.8 | Mason | 4.1 | Trigg | 5.0 |
| Carter | 4.0 | Henry | 4.4 | Meade | 4.6 | Trimble | 4.4 |
| Casey | 4.5 | Hickman | 5.2 | Menifee | 4.2 | Union | 4.8 |
| Christian | 4.9 | Hopkins | 4.8 | Mercer | 4.4 | Warren | 4.8 |
| Clark | 4.3 | Jackson | 4.4 | Metcalfe | 4.7 | Washington | 4.5 |
| Clay | 4.4 | Jefferson | 4.5 | Monroe | 4.7 | Wayne | 4.6 |
| Clinton | 4.7 | Jessamine | 4.4 | Montgomery | 4.2 | Webster | 4.8 |
| Crittenden | 4.9 | Johnson | 4.1 | Morgan | 4.1 | Whitley | 4.5 |
| Cumberland | 4.7 | Kenton | 4.2 | Muhlenberg | 4.8 | Wolfe | 4.2 |
| Daviess | 4.7 | Knott | 4.3 | Nelson | 4.5 | Woodford | 4.4 |

Stormwater Management

All stormwater runoff within the boundary of the Surface Disturbance Mining Permit shall be to the extent possible diverted to either the pit or to sediment control structures. Stormwater that cannot be diverted shall be addressed under the BMP Plan. During the initial phase of site preparation Best Management Practices shall be employed to control sediment until permanent sediment control structures are constructed and placed in operation.

14. **PERMIT DURATION**

Five (5) years.

15. **PERMIT INFORMATION**

The application, draft permit fact sheet, public notice, comments received, and additional information is available by writing the Division of Water at 14 Reilly Road, Frankfort Office Park, Frankfort, Kentucky 40601.

16. REFERENCES AND CITED DOCUMENTS

All material and documents referenced or cited in this fact sheet are a part of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the person listed below.

17. CONTACT

For further information contact the individual identified on the Public Notice or the Permit Writer - Larry Sowder at (502) 564-3410, extension 472 or e-mail Larry.Sowder@ky.gov.

18. PUBLIC NOTICE INFORMATION

Please refer to the attached Public Notice for details regarding the procedures for a final permit decision, deadline for comments, and other information required by 401 KAR 5:075, Section 4(2) (e).

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DEFINITIONS OF TERMS USED IN THE NON-COAL MINERAL MINING GENERAL PERMIT

1. Calendar day: Means any 24-hour period.

- 2. Clay: Means a natural substance or soft rock which, when finely ground and mixed with water, forms a pasty, moldable mass that preserves its shape when air dried; the particles soften and coalesce upon being highly heated and form a stony mass upon cooling.
- 3. Controlled discharge: Means any discharge that is pumped or siphoned.
- 4. Daily maximum concentration: Means the daily determination of concentration as an instantaneous maximum that cannot be exceeded by any sample.
- 5. Dolomite: Means a sedimentary rock composed primarily of the crystalline carbonate mineral dolomite $CaMg(CO_3)_2$. Many limestones contain small amounts of Dolomite; however, the term Dolomite is reserved for rocks which contain 15% or more Magnesium Carbonate.
- 6. Expanded Operation: Means any amendment or revision of the mining plan to facilitate the extraction of additional mineral or to discharge into a drainage area not previously affected by the mining activity.
- 7. Fluorspar: Means an ore of the mineral Fluorite (CaF_2) . This occurs in veins and as bedding replacements found in Western Kentucky, as part of a mining district referred to as the Cave-In-Rock District and in Central Kentucky, as the Central Kentucky Vein and Fault System. Its origin is the result of hydrothermal activity.
- 8. Grab sample: Means a single influent or effluent portion collected in less than 15 minutes at the period most representative of the total discharge.
- 9. Gravel: Means a sedimentary rock type that implies a loosely, compacted, coarse sediment that is generally larger than 4 mm, but smaller than boulders; a naturally occurring aggregate.
- 10. Limestone: Means a crystalline sedimentary rock that is primarily composed of the mineral $CaCO_3$. However, it may be considered as any sedimentary rock composed essentially of carbonates, chiefly Calcite or Dolomite, but may contain small amounts of iron-carbonates (Siderite).
- 11. Instantaneous maximum: Means the maximum value not to be exceeded at any time.
- 12. Monthly average concentration: Means the arithmetic average of all sample concentrations made during a calendar month.
- 13. Normal working hours: Means the daylight working hours Monday thru Friday excluding nationally, state, or religious observed holidays.
- 14. Non-discharging or recycle operation: Means a non-coal (mineral) mining operation that due to its physical makeup does not have a point discharge. In such operations all waters including stormwater runoff are directed to an operating pit that does not overflow.
- 15. Point Source: Means any discernable, confined, and discrete conveyance, including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel, or other floating craft, from which pollutants

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are or may be discharged.

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DEFINITIONS OF TERMS USED IN THE NON-COAL MINERAL MINING GENERAL PERMIT

16. Pollutant: Means dredged spoil, solid waste, incinerator residue, sewage, sewage sludge, garbage, chemical, biological, or radioactive materials, heat, wrecked or discarded equipment, rock, sand, soil, industrial, municipal or agricultural waste, any substance resulting from the development, processing or recovery of any natural resource, filter backwash water, munitions, and cellar dirt.

- 17. Precipitation influenced discharges: Means a discharge that occurs as a result of a precipitation (rainfall or snowmelt) event.
- 18. Riparian Zone: Means the area of land on either side of streams, channels, rivers, and other water bodies. These areas are normally distinctly different from the surrounding lands because of unique soil and vegetation characteristics (e.g., wetter soil than adjacent soil conditions where aquatic vegetative communities thrive). For the purpose of this permit the riparian zone will be assumed to be 100 feet from the bank of the water body unless demonstrated by the permittee to be smaller.
- 19. Sand: Means a sedimentary rock type that implies a loosely, compacted, coarse sediment that is generally composed of particles that range in size from 1/16 mm to 2 mm. Most sands are predominantly composed of quartz grains or fragments of siliceous rocks.
- 20. Settleable solids: Means that matter measured by the volumetric method specified in Part I, F.2.
- 21. Treatment Facility/Treatment System: Means all structures which contain, convey, and as necessary, chemically or physically treat mine waters for pollutant removal. This includes all pipes, channels, ponds, basins, tanks, and all other equipment serving such structures.
- 22. 10-year, 24-hour precipitation events: The maximum 24-hour precipitation event with a probable recurrence interval of once in 10 years, as defined by the Kentucky Division of Water Engineering Memorandum No. 2, "Rainfall Frequency Values for Kentucky" (4-30-71) revised (6-1-79).